

NICHOLAS A. TRUTANICH
United States Attorney
District of Nevada
Nevada Bar Number 13644
DANIEL J. COWHIG
Assistant United States Attorney
United States Attorney's Office
501 Las Vegas Boulevard South, Suite 1100
Las Vegas, Nevada 89101-6514
(702) 388-6336 / Fax: (702) 388-6020
daniel.cowhig@usdoj.gov

Representing the United States of America

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

-oOo-

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LAURICE McCURDY,

Defendant

Case No. 2:07-cr-60-JCM-VCF

UNITED STATES' MOTION TO
STRIKE UNDER LOCAL RULE IA
11-6(a) OFFENDER'S [203]
PETITION FOR MODIFICATION

The United States of America, through Nicholas A. Trutanich, United States Attorney, and Daniel J. Cowhig, Assistant United States Attorney, moves to strike defendant's pro se petition for modification at ECF 203.

Under Local Rule IA 11-6(a), "a party who has appeared by attorney cannot while so represented appear or act in the case." Further, "once an attorney makes an appearance on behalf of a party, that party may not personally file a document with the court; all filings must thereafter be made by the attorney." *Id.*

Assistant Federal Public Defender Raquel Lazo was appointed to represent offender McCurdy in this matter on September 5, 2019. ECF 196. The Court had previously granted a

1 petition for warrant for an offender under supervision as to offender McCurdy on September 4,
2 2019. ECF 192. Offender McCurdy personally filed the subject document on September 10,
3 2019. ECF 203. The United States respectfully requests the Court strike offender McCurdy's
4 filing at ECF 203 without prejudice.

5 The Court has set the revocation hearing in this matter for October 7, 2019. ECF 206.
6 Should offender McCurdy's counsel so move, it would serve judicial economy to consider
7 offender McCurdy's request for modification in the context of the revocation hearing.

8 Dated: September 17, 2019

9 NICHOLAS A. TRUTANICH,
10 United States Attorney

11 _____//s//_____
12 DANIEL J. COWHIG
13 Assistant United States Attorney

14
15 ORDER

16 Presently before the Court is the United States' motion to strike, ECF 207 filed on September
17 17, 2019. The United States moves to strike offender McCurdy's pro se filing at ECF 203.
18 Under Local Rule IA 11-6(a), a represented party cannot personally file documents with the
19 court. His attorney must make all filings. Assistant Federal Public Defender Raquel Lazo
20 represents Mr. McCurdy in this matter.

21 / / /

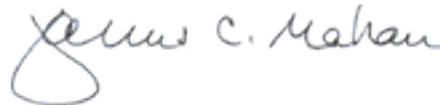
22 / / /

23 / / /

24 / / /

1 IT IS THEREFORE ORDERED that the United States' motion to strike, ECF 207 , is
2 GRANTED without prejudice. The Clerk of Court shall STRIKE offender McCurdy's pro se
3 filing at ECF 203. Mr. McCurdy's counsel is free to petition the Court for the requested
4 modification at the revocation hearing, currently set for October 7, 2019.

5 IT IS SO ORDERED September 26, 2019.

6 
7

8 UNITED STATES DISTRICT JUDGE
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

CERTIFICATE OF SERVICE

I, Daniel J. Cowhig, certify that the following individual was served with a copy of the UNITED STATES' MOTION TO STRIKE UNDER LOCAL RULE IA 11-6(a) DEFENDANT'S [203] PETITION FOR MODIFICATION on this date by the Electronic Case File system:

Raquel Lazo
Federal Public Defender
411 E. Bonneville Ave.
Las Vegas, NV 89101
702-388-6577
Email: Raquel_Lazo@fd.org
Attorney for Laurice McCurdy

Dated: September 17, 2019

//s//
DANIEL J. COWHIG
Assistant United States Attorney